

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on December 8, 2010. The Office Action alleges the present application includes seven species (A-G) that lack a general inventive concept under PCT Rule 13.1 in view of U.S. Patent Application Publication 2004/0023766 by Slone ("Slone"). Applicant provisionally elects to prosecute Species D (e.g., corresponding to the exemplary embodiment shown in Figure 3) as set forth in claim 75, with traverse. Applicant notes that the Examiner's indication that Species D corresponds to Figure 4 appears to be a typographical error.

Applicant has amended independent claims 1, 31, 43, and 46 to include a fourth axis substantially parallel to the second axis. Support for the amendment is found in the specification as originally filed – e.g., at least in Figure 1 and in paragraphs [0035], [0041], [0120]-[0122] (paragraph numbering refers to the application as published by the PTO: Pub. No. 2009/0227426). Applicant respectfully submits that Slone does not disclose fourth axis substantially parallel to the second axis. Applicant respectfully submits that the amended claims all include a single general inventive concept as required by PCT Rule 13.1. Accordingly, applicant respectfully requests that the Examiner withdrawal of the restriction requirement.

Should the Examiner refuse to enter the amendment or maintain that the claims as amended still lack a single general inventive concept, applicant respectfully requests that the Examiner modify the restriction requirement to treat species C & D (e.g., corresponding to exemplary embodiments shown in Figures 1-4 and as set forth in claims 73-75) as a single species. Applicant submits that species

C & D set forth two embodiments of a braking mechanism to adjust the freedom of movement of the board about the first axis as set forth in new claims 73-75.

Applicant respectfully submits that Sloane fails to disclose said braking mechanism and, therefore, that claims 73-75 include a single general inventive concept as required by PCT Rule 13.1. Support for new claims 73-75 is found in the specification as originally filed, e.g., at least in Figures 1-4 and paragraphs [0118]-[0119].

Should the Examiner refuse withdraw or modify the restriction requirement, applicant provisionally elects to prosecute Species D (e.g., corresponding to the exemplary embodiment shown in Figure 3) drawn to a braking mechanism to adjust the freedom of movement of the board about the first axis as set forth in claim 75.

If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Ryan W. Elliott at (408) 720-8300. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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